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FAX NO : 571-273-8300

TO : Commissioner for Patents  
Mail Stop: AF

FROM : Oleg F. Kaplun, of Fay Kaplun & Marcin, LLP

DATE : January 16, 2007

SUBJECT : Endoscopy  
U.S. Patent Appln. Serial No. 10/764,619  
*for Stapling and Cutting in Resectioning for Full  
Thickness Resection Devices*  
Our Ref.: 10121/00308

NUMBER OF PAGES INCLUDING COVER : 14

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**MESSAGE:**

Please see attached.

Thank you.

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Attorney Docket No. 10121/00308 (00-0044CON2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

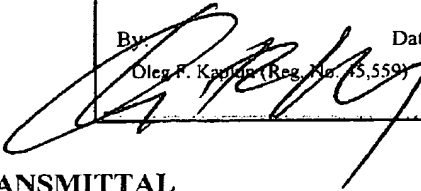
Applicant : McAlister et al.  
Serial No. : 10/764,619  
Filed : January 26, 2004  
For : Stapling and Cutting in Resectioning for Full Thickness  
Resection Devices  
Group Art Unit : 3734  
Examiner : Michael T. Andersen

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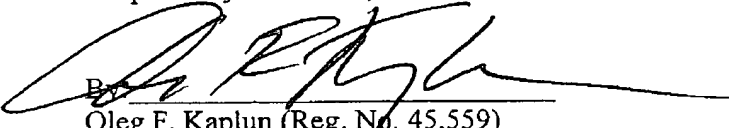
By:  Date: January 16, 2007  
Oleg F. Kaplun (Reg. No. 45,559)

**TRANSMITTAL**

Transmitted herewith please find an Amendment under Rule 116 in response to the Final Office Action mailed November 29, 2006 for filing in the above-identified application. Since the Amendment is being filed within two months of the Final Office Action mailing date, Applicants respectfully request that the USPTO's response be issued before the expiration of the three month period of the Final Office Action mailing date (i.e., by February 28, 2007). No fees are believed to be required. However, the Commissioner is hereby authorized to charge any additional required fees to the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: January 16, 2007

  
By: \_\_\_\_\_  
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 619-0276

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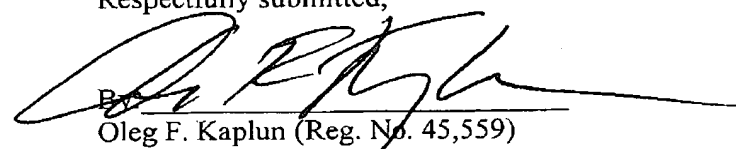
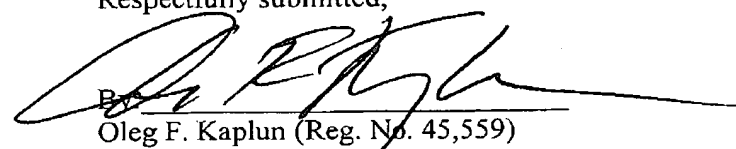
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**AMENDMENT UNDER RULE 116**

In response to the Final Office Action mailed on November 29, 2006, please  
amend the above-identified application as follows: